

# Hawaiian Gazette.

VOL. XXXIX, NO. 80.

HONOLULU, H. T., TUESDAY, OCTOBER 4, 1904—SEMI-WEEKLY.

WHOLE NO. 2680.

U.S. MAIL  
OCT 17 1904  
WILSONIAN DEPOT

## REPUBLICANS RALLY THE KAKAAKO VOTERS

John Gandal Makes An Eloquent Speech In  
Hawaiian—Ed. Towse Defends Carter's Ad-  
ministration—Aylett and Others Talk.

At the Republican mass meeting held last night in Kakaako the orators were numerous and all talked along the same general lines in the presence of a large and enthusiastic crowd. In fact, the meeting became so enthusiastic that a Home Rule meeting conducted about a block away was stripped of its auditors until only the speakers and half a dozen dyed-in-the-wool Home Rulers remained.

The Republican meeting was held in the glare of two great flare-lights on Queen street near Ward avenue, between the rows of tenement structures. James Quinn presided and with brief speeches introduced the various speakers.

Wm. Aylett said that if the Kakaako voters stood by the Republican party, and therefore by the administration, they would continue to receive benefits as they had since the last session. He pointed to the macadamized streets which ran through Kakaako and the electric lights which have replaced the darkness at night. He referred to Lillikalani as Kuula, the God of Fishes. With the magic stone of the god, by which the god caught innumerable fish, Lillikalani would go forth in the darkness and catch votes.

In similar figurative terms he referred to the members of the Fourth District ticket and asked the voters to stand by it from top to bottom.

The chairman referred to Kakaako as now being a precinct separate and distinct from the others, a feature which had been visited upon Kakaako for the first time since the days when Kamehameha I laid the foundations of the city. What the voters should do in return for having this honor thrust upon them was to vote a full Republican ticket. The Hawaiians, he said, were the most generous people the world over, and this being the case, he felt they would only be adding to their laurels in this respect by throwing their full strength to the Republican ticket.

E. W. Quinn, the plumper candidate for the lower house spoke briefly, and to the point in behalf of his candidacy. He asked for the Kakaako vote, first, because he was a Republican, and second, because he believed that that party could give the Territory the best and most economical government. He was also a working man. He had always been a working man, and had begun to earn his own living when only ten years of age. If he was elected the Hawaiians need not be afraid to come to him with any proposition in reason, and he would take pleasure in listening to one and all. He said he intended to make a clean fight for office and to refrain from personalities.

CHANCE FOR NATIVE BOY.  
Jim Quinn prefaced his next intro-

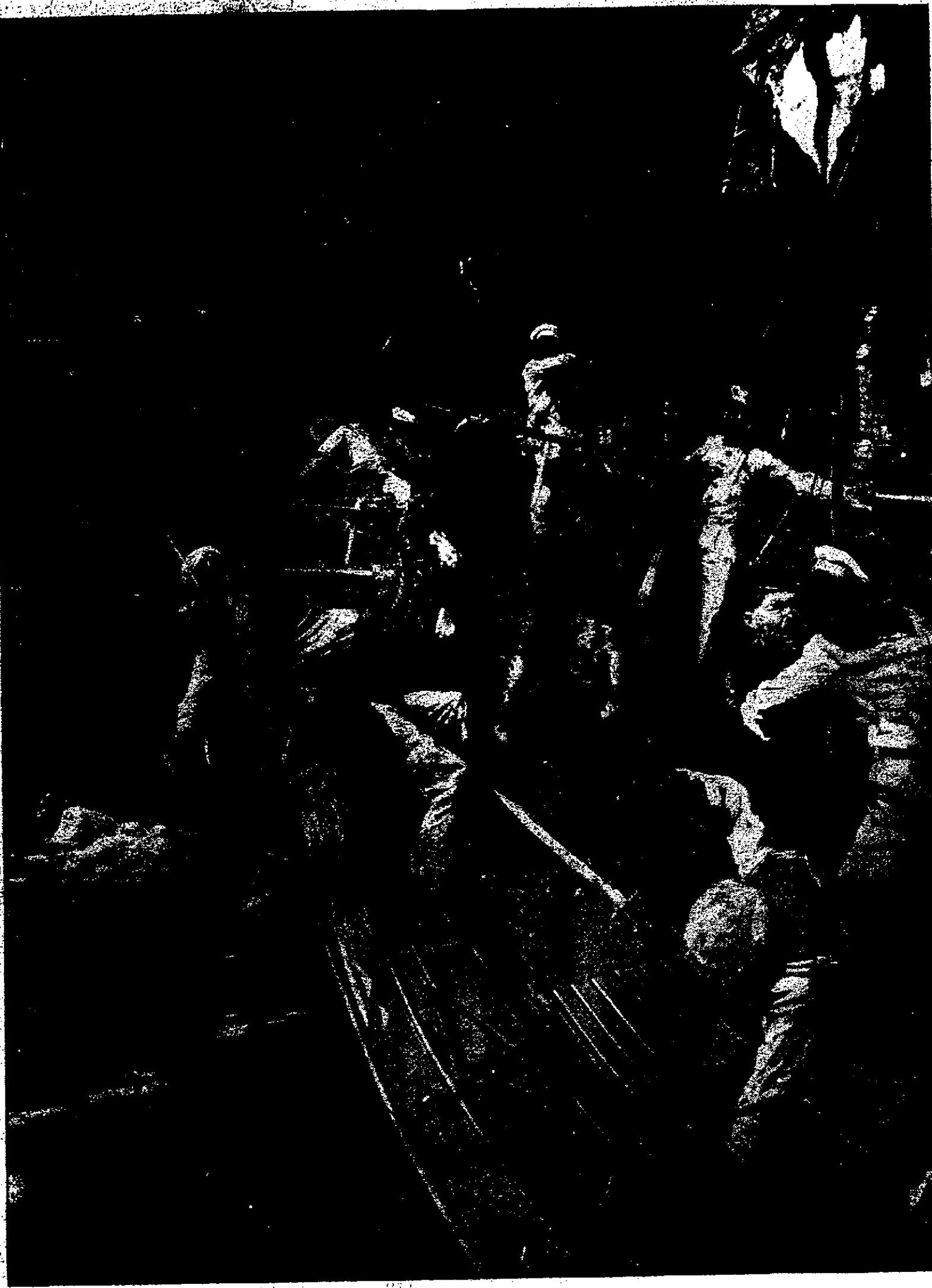
(Continued on page 5.)

## MCCARTHY DECLINED SENATORIAL OFFER

The Democrats were considerably up a tree yesterday and the day before as to whom they would put on the Senatorial ticket vice E. H. F. Wolter, who suddenly sent in his resignation. A number of prominent men in the party were sought and offered the vacant post, but most of them declined. Col. C. J. McCarthy, who is regarded as one of the strongest conservatives in the party was approached but he wouldn't have it. Col. McCarthy said he was not in any race for office, as his business demanded his attention. Jack Low was mentioned as a probable successor to Wolter. In fact it remained for the party to caucus on candidates, and this was left to a meeting to be held in the evening.

W.M. JARRET, ONE OF THE DEMO-  
CRATIC NOMINEES FOR THE  
HOUSE IN THE FOURTH.

## ONE MILLION JAPS IN ARMS



THE FIGHT ON THE REISITELINI.

—Black and White.

## Reduced to Donkey Meat at Port Arthur—Prices Are Ruling High.

(ASSOCIATED PRESS CARICATURE)

TOKIO, Oct. 4.—The new military regulations increase the army to a million men. It has been decided to raise a domestic loan of \$40,000,000.

### BAYAN STORY UNTRUE.

SHANGHAI, Oct. 4.—The story that the Russian cruiser Bayan has taken refuge here is a hoax.

### QUIET AT MUKDEN.

MUKDEN, Oct. 4.—With the exception of small outpost fights, the situation is unchanged.

### SHORT RATIONS AT PORT ARTHUR.

CHEFOO, Oct. 4.—Standing and tinned meats are nearly exhausted at Port Arthur. Thirty donkeys are killed daily. Meat is \$1.20 a pound and eggs are twenty cents each.

ST. PETERSBURG, Oct. 2.—The Russian cavalry have checked the Japanese advance in the direction of Yangsungtung and Fengtiapi. They have also burnt seventeen junks in the Hun river, carrying ammunition.

### NOTHING DOING AT MUKDEN.

MUKDEN, Oct. 2.—Inactivity continues on both sides.

### FIRE AMONG AMMUNITION.

SEBASTOPOL, Oct. 2.—A fire in the artillery ammunition magazines will, it is feared, cause considerable loss of life.

ST. PETERSBURG, Oct. 3.—The Czar will visit Reval on Tuesday, to bid farewell to the Baltic Squadron.

Reval, population over 51,000, is a port in the province of Esthonia and situated on a bay on the south coast of the Gulf of Finland. It is about 200 miles west of St. Petersburg. Just three weeks ago the Baltic squadron was reported as sailing from Cronstadt for the Far East, since when until now there has been no report of its whereabouts. That the squadron should have progressed only two-thirds of a fair day's steaming in that time, without any explanation being given for the delay, is another illustration of the way the world is being kept in the dark by both sides about important movements of the war.

### EACH SIDE LOSES A VESSEL.

TOKIO, Oct. 3.—It is reported that a Japanese gunboat has been sunk south of Liatong by a mine. Part of the crew was rescued. A Russian steamer clearing away mines at Port Arthur has been sunk.

### BATTLE ARRAY ABOUT MUKDEN.

TOKIO, Oct. 3.—There are four divisions of Russians at Mukden, two at Hunho and the remainder at Tieling. The three Japanese armies occupy a front extending twenty miles north of Liaoyang.

# HAYASHIDA CONVICTED

## Of Manslaughter In the First Degree.

(From Saturday's Advertiser)

At 9:58 last night, after deliberating for an hour and eight minutes, the jury found Hayashida guilty of manslaughter in the first degree for the killing of another Japanese at Waialae in the latter part of May this year.

Hayashida was indicted at the June term for murder in the first degree, and his case was taken up the present term as one of those continued from the previous term. An error in the indictment placing the crime at Waipahu was discovered while a jury was being empaneled, when a nolle prosequi was entered and the defendant released only to be immediately rearrested. The present grand jury brought in a new indictment charging Hayashida with murder in the first degree, under which he was tried with the result above noted.

Mr. Cathcart noted exceptions to the verdict and gave notice of motion for a new trial.

Hayashida took the witness stand on his own behalf shortly after 3 o'clock in the afternoon. His evidence revealed that self-defense was his reliance. He said that Sato was advancing toward him, with a knife in his hand, and that he then grasped a stick and struck Sato on the head with it.

Deputy Attorney General Prosser objected to a question about previous quarrels between the slayer and the slain man. Mr. Cathcart quoted authorities to show an exception to the rule that quarrels antecedent to a homicide could not be introduced in defense. They were to the effect that where an overt act of the victim was committed or attempted subsequent to quarrels between him and the defendant on other occasions, evidence of such quarrels was admissible to show that the defendant had reason to fear great bodily harm or danger to his life. While the court was examining the authorities, Mr. Prosser withdrew the objection.

## ALL ABOUT THE COURTS

### Lee Toma Resists Payment of a Fee.

Harry J. Johnston vs. Lee Toma & Co., Ltd., came up for trial before Judge Robinson. L. Andrews and W. S. Fleming for plaintiff; R. W. Breckons and J. G. Pratt for defendant. The following jury was found satisfactory as drawn: Patrick Ryan, Lewis C. King, Chas. P. Osborne, Percy Lishman, James Armstrong, H. C. Carter, J. J. Sullivan, Samuel Nowlein, Harry A. Wilder, Hiram Kaaha, H. P. Benson and Wm. F. Ewing.

It is a claim for \$5057.02 with legal interest from the date of the filing of the complaint and for costs. The claim is based on services of the plaintiff as custom house broker, acting in the name of Hind, Ralph & Co., Ltd., whereby the defendant was saved \$17,871.08 in duties on importations of Manila cigars. Mr. Johnston made the protest against the assessment of the collector of customs to the Treasury Department in Washington, which was sustained. In his complaint Mr. Johnston says that the reasonable value of his services, "according to the standard of compensation in similar cases prevailing in Honolulu, Washington and New York, was and is one-third of the amount saved to the importer."

Plaintiff rested at 3 p.m. and the jury was excused until 4 o'clock when Mr. Breckons presented a series of motions, which he said would have a bearing on the instructions of the court to the jury. "Were any dividends paid by Lee Toma & Co. after the cigars were passed?" Mr. Andrews asked this question of his last witness, but subject to objection. It was objected to by Mr. Breckons and disallowed by the court.

The case was argued to the jury at 6:30 when Judge Robinson excused the jury until Monday at 9 a.m., then to receive the charge of the court.

#### SMALLER BOND ORDERED

On the motion for foreclosure of mortgage of H. Hackfeld & Co., Ltd. vs. W. C. Achi and others Judge Robinson granted the motion to require security for payment of interest except that the bond is to be \$2000 instead of \$7000. The bond is to be filed within ten days and the sale is postponed from October 22 to November 12.

#### COURT NOTES

Judge Gear appointed Frank E. Thompson as guardian ad litem for all of the minors in the equity suit of John A. Cummins vs. Joseph O. Carter, trustee and others. Plaintiff has filed rejoinders in demurrer as to Carter by himself and several other respondents jointly who had demurred to the complaint.

A rejoinder in demurrer is filed in the case of Kealoha K. At and W. R. Castle, trustee vs. Kapiolani Estate Ltd.

T. Yoshiharu vs. Kei Hin Bank, Ltd., has been discontinued.

Judge De Boit will call the civil calendar Monday morning at 9 o'clock. Terence Turk was further continued by Judge Robinson yesterday.

## SOME MORE BANDERLOGS

### Home Rulers Put Up a Ticket In the Fourth.

The Home Rulers of the Fourth District met in convention yesterday morning, and under the guidance of Senator Kalauokalani, put the following ticket in nomination for legislative honors in the lower house:

S. K. Kamaka, Henry Meheula, David Notley, S. Paahao, J. K. Kaohi and W. S. Makeka.

Kaohi is the son of Senator Kaohi of Hawaii.

A district platform was also read and adopted in which are the following items. The bills presented in Congress by R. W. Wilcox, are to be pushed forward by Charles Notley, the Home Ruler, presuming that he will be elected as delegate.

Cognizance is taken of Delegate Kalaianaoe's alleged failure to have any bills passed in Congress.

The Home Rulers intend to make a special attack during the campaign on Prince Kuhio for presenting "Bill No. 15,226" pertaining to the adoption of the English language as the official language of the Hawaiian legislature and all departments of the Territorial government;

They will work above all things for the enactment of a county law.

## CUT HEAD WITH BOTTLE

### Almost a Deadly Row In a Sleeping Room.

A row which started yesterday afternoon in the sleeping apartment of a Chinese store in the lane leading to the Hotel street Chinese theater, almost had a tragic ending. One Chinaman assaulted another using a soda water bottle upon the forehead of his victim. The bottle tore open the forehead making a deep gash which extended almost from the hair line to the eyebrow. Blood flowed copiously. After the Chinaman found he was not dead he ran to the police station, was given an officer to arrest his assailant, and then ran back to the store.

Officer Luahiva found Ah Cho, the man who had made the assault, lying on a matting bed, with an old coat wrapped about his head. This was covered with blood. The officer thought at first that Ah Cho was dead, but when he saw the officer he jumped to his feet, and then complained that the wounded man had kicked him in the side.

The soda water bottle with which Ah Cho had made the assault was found, covered with blood.

## MORE NOMINATIONS FOR THE LEGISLATURE

Since the nominations of E. Faxon Bishop of Oahu and J. L. Coke of Maui for the Senate, the following nominations have been filed in the office of the Secretary of the Territory.

George C. Hewitt of Waiohinu, Hawaii, for the Senate.

J. W. Kellikos, Second Representative District, Hawaii, for the House of Representatives.

J. E. Kekipi, Geo. P. Kaulimakole and George Kaahi, Third Representative District, Maui, etc., for the House of Representatives.

Attention may here be called to the notice which appeared in the Advertiser yesterday, to be repeated at future dates, by A. L. C. Atkinson, Secretary of Hawaii, to candidates for election to the Legislature. This notice states the qualifications of Senators and Representatives, also the requirements that all nominations must be filed not later than October 28, being ten days before the day of the election and that each nomination must be accompanied by a deposit of \$25 and signed by not less than twenty-five duly qualified electors of the district for which the candidate is nominated.

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## JUDGE HIGHTON ON THE HAWAIIAN JURY SYSTEM

Honolulu, Sept. 30, 1904.  
Editor Advertiser: Anything Mr. David L. Withington may write is worthy of earnest consideration. There fore his letter to the Advertiser, upon your editorial entitled "Collapse of the Jury System in Honolulu," should and will attract general attention.

I do not agree in all points either with the editorial or with Mr. Withington's letter. I do not believe the jury system in this Territory has collapsed, though I admit that it is hampered, and almost blocked, by a bad law that needs speed and thorough revision. Nor do I endorse strictures upon the judges, who do not make the law and whose sworn duty is to declare it, as they find it. In this as in many other matters, the responsibility must rest upon the legislature.

It is useless to discuss technicalities in the columns of a newspaper. Massa-

chusetts is an ancient, well organized and polished commonwealth, with a population not exceeded in intelligence or education in the civilized world. The jury system there, I will not presume to discuss. Doubtless it is well adapted to the conditions of an advanced and an enlightened State. But I will not admit, and I distinctly controvert, the proposition that the jury system in California is a failure. That State, in this respect, as in all others, is abreast of the highest phases of modern progress. Its legislation, not perfect—what legislation is?—is nevertheless the result of thought, labor and experience and substantially corresponds to the necessities and the wants of a well-ordered and aspiring Western American community.

There was a time in the history of California, when, in any criminal trial that excited great public interest, part of the examination of a juror was about as follows:

Counsel to Juror: "Have you read or talked of this case?"  
"I have."  
"From what you have read or heard, have you formed and expressed an opinion as to its merits?"  
"I have."  
"Is that opinion qualified or unqualified?"  
"Unqualified."  
"Would it take testimony to remove it?"  
"It would."  
Counsel: "Challenged for cause."  
The Court: "Challenge allowed."

In this way, hundreds of qualified jurors were excused, hearings delayed beyond endurance and justice in many cases defeated. Thirty years ago, the statutory definition of actual bias was changed so as to read as follows:

"For the existence of a state of mind on the part of the parties, which will prevent him from acting with entire impartiality and without prejudice to the substantial rights of either party."

In the same year, by Section 1076 of the Penal Code, the foregoing definition of actual bias was protected by this language:

"— but no person shall be disqualified as a juror by reason of having formed or expressed an opinion upon the matter or cause to be submitted to such jury, founded upon public rumor, statements in public journals, or common notoriety; provided it appear to the court, upon his declaration, under oath, or otherwise, that he can and will, notwithstanding such an opinion, act impartially and fairly upon the matters to be submitted to him."

For the purposes of this letter, it is unnecessary to refer to any further legislation in California. The rule there adopted has been on the whole closely applied, and it has worked out excellent results. I will venture to say that California juries in criminal trials will compare, not unfavorably, with juries in every part of the United States. My own observation does not correspond with Mr. Withington's impressions. I think any of the twelve Supreme Court Judges in San Francisco will state that, instead of one criminal trial per week, the average is several, and that it is not uncommon for two or even three cases to be tried in a single day. In the country districts, I have frequently seen criminal trials pushed with rapidity and precision.

The common law treatment of juries was brutal, and would not be tolerated by the American republic. It is also obvious to my mind that, in modern times, the right to examine every juror to develop the existence or non-existence of a ground of challenge is not only proper but essential, and especially in places where a considerable part of the population is transitory. Originally juries were summoned from neighborhoods, were generally known, and indeed were supposed to have some familiarity with the facts of each particular case. Now most jurors summoned are unknown to the party accused or to the counsel by whom they are examined. To compel a challenge for cause before a juror is tested on his voir dire would tend to defeat justice and might often result in the condition described by Shakespeare:

"The jury passing on the prisoner's life  
May in the sworn twelve have a  
thief or two  
Guilty than him they try."

The preliminary examination of jurors, to a great degree, is controlled by the discretion vested in competent judges, who are indifferent between the prosecution and the defense and I cannot perceive in it the slightest analogy to an inquisition or any substitution of trial of juries for the trial of the prisoner. In most cases such examinations are brief and rapid. In some cases they ought to be exact and full. The length of trials depends and should depend upon the facts and circumstances of each particular case. Most trials are short. I have repeatedly observed in Honolulu two or three verdicts in a day. Each case should consume the precise time, and no more, required to subserve the ends of righteous judgment.

Many trials have been disturbed and affected by arbitrary methods on the one part and by loose methods on the other. The American system, to which the British system virtually corresponds, is based on the proposition of absolute equality before the law. Some of the longest trials in the history of jurisprudence have occurred in England. The Warwick case was an example of thor-

oughness. The Tichborne case, I think, was the most elaborate trial on record. No one, however, disputes the fact that practical justice is rigidly applied in Great Britain.

The underlying necessity in criminal jurisprudence, is real and not perfunctory equality before the law. The state or the territory has no legitimate prepossessions. It acts without reference to the personal equation and desires nothing but the conviction of the guilty and the acquittal of the innocent—guilt or innocence to be determined through the existing forms and processes of the law, deliberately and coldly applied, and which, if defective, is within the legislative authority to amend. A prosecuting officer does not occupy the position of ordinary counsel. He is the representative of justice, alike to the commonwealth and to the accused. There is a sense in which he represents both sides and acts as counsel for the prisoner—

that is, in the protection of his legal rights. All cases stand essentially upon an equal footing and there can be no just discrimination between cases. Every trial should take its official course, with either undue precipitancy or undue procrastination.

In a case of homicide, the station in life or the personal worth of the victim is not to be considered—except, of course, naturally and properly, by the public. The murder of a President, in itself, is no worse than the murder of a hod-carrier. In the sanctuary of the law, there is no room for preference or for vindictiveness or for revenge. "Vengeance is Mine—I will repay," said the Lord.

It is true that "the whole subject of jurors has been twisted out of all semblance to its original form." This, social and political advancement, the development of free institutions and the rising value of individual man, have compelled. It will be a bad day for the world when, if ever, this reform is arrested. It will be a bad day for the American Union when, if ever, color, ignorance, degradation, or any conceivable phase of humanity, can abate one jot or one tittle of the protection to which, under our institutions, every human being is equally entitled. It will be a bad day for justice when, if ever, a man charged with crime, is deprived of the right, not to select, but to participate in the selection of the jurors, by whom, under the law, as declared by the court, the issue involving his life or his liberty, is to be determined.

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This is the first occasion where a Honolulu nine has taken upon itself to invite a team down from the neighboring Isle, and this too from the Mailes, who have never been invited to Maui. Local players appreciate this step, and it is almost a certainty that a return game will be played at Wailuku, if not this year, surely the first opportunity that offers next year.

It has not yet been decided definitely just what boys will go to Honolulu, but it will practically be the Morning Star team with the Kruger brothers, as the battery.

An invitation from the Punahoa team has been patiently waited for, but it is believed that on account of their poor standing in the Honolulu league, they have not thought it worth while to invite the Maui boys to Honolulu, and then probably stand a second defeat.

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# THE BLUE AND WHITE

The New Kamehameha  
School Paper of  
Students.

"Blue and White" is the title of a very neat four page paper published by the students of the Kamehameha Schools. The initial number was issued yesterday. The staff is composed of the following:

Abel Ah You, editor-in-chief; George Wells, assistant editor; Charles Lyman, athletics; David Dasha, exchange editor; Charles Williams, superintendent of printing; associate editors, Enoch Hussey, Henry Sniffen, David Mahukona.

The leading editorial is devoted to a synopsis of an address made before the Kamehameha Alumni meeting held on June 8, 1894, as follows:

And now a serious word about Kamehameha. Kamehameha with all it means is the Hawaiian heritage. If ever an institution belonged to a people, this belongs to you. It is yours to guard, to use, to cherish. And to my mind, Kamehameha is the last hope of the Hawaiian people. But it is enough.

Your great Alii was wise,—so wise that every time I think of it I still wonder at what she did for her people.

Had she divided her wealth among her friends and relatives as so much wealth is divided, it would have gone as other wealth has gone, leaving dissipation, degeneracy and poverty; the coming generations would be no wiser and no happier.

But leaving it as she did, it will go on giving strength, building up manhood and womanhood, enriching the Islands by enriching all who seek its benefits. Each generation will be wiser; each generation will be stronger; each generation will be happier. It is to be perpetual. A thousand years later, men and women, wiser than we are, will still assemble here to bless her memory.

There is only one thing to fear. That is the possibility that the Hawaiian people may lose this heritage,—that it may pass into the hands of men and women who do not have Hawaiian blood in their veins.

Your blood divides with each generation. Your customs are dying out.

The courts will change. The trustees will change. Soon the men who have known you and are in sympathy with you and have done all in their power to advance you, these men will be gone, and men "who knew not Joseph" will be in their places. Then you will have to stand for yourselves. I charge you to stand for this last hope of the Hawaiian people with all your might. Not by force—there is an easier way; not through the courts,—there is a more direct way: not through the press,—there is a better way. This best way of all is to keep every place here filled with Hawaiian men and women.

The will of your Alii gives preference to Hawaiian blood. No court, and no set of trustees will ever venture to break that will so long as Hawaiians make use of their own. If your people lose this heritage it is their own fault.

But there is hope that each generation will know better than the one before, the benefits of the training offered here, and so each generation will guard these privileges with more zealous care for their children. Let me give you a new proverb.—A privilege abused or neglected is a privilege lost; whether it be of reputation or of heritage. Be true to your heritage and worthy of it. Hawaiian customs will disappear. Hawaiian names will disappear. But as long as Hawaiian blood can be traced in the veins of men and women, so long should Kamehameha be Kamehameha.

The following "locals" are of interest:

We appreciate our new president Mr. Perley L. Horne. His administration promises to be a successful and pleasant one.

Our chapel is still undergoing repairs.

At present the three schools are having church exercises in the assembly room at Bishop Hall.

The Mandolin Club has received several new pieces of music from the coast.

They are prepared to furnish music for all occasions at reasonable charges.

The present enrollment of the Manual Department is about 140, a good record for the beginning of the year. A number of students who were here last year have not yet returned.

Foot ball has commenced in earnest, and though there were seven places left vacant by last year's team they have been filled by good players. The first game may start sometime next month and Kamehameha expects a complete victory.

The making of butter at our dairy has just been started this year. The addition of three new cows makes it possible. The quality of the butter is said to compare favorably with that made by other dairies. The boys believe that the making of butter at Kamehameha is very educational.

WAILUKU ITEMS  
BY LATEST MAIL

WAILUKU, Oct. 1.—"It may be conceded," the Maui News says, "that the appropriations for the Wailuku courthouse and the Kahului wharf have practically lapsed, and it is up to the representatives from Maui to secure a \$75,000 appropriation for the Wailuku courthouse at the next session of the legislature, as \$35,000 is not more than a half enough to erect the building needed."

Preliminary surveys on the big Waimea ditch have been begun, at the Waimea

end of the line.

There is some talk of establishing golf links in Wailuku and introducing the popular game on Maui.

Quite a number of traveling men from Honolulu are doing business on Maui this week, and report that business is picking up.

Manager Charles D. Lufkin of the Wailuku National Bank leaves today on the Claudine for a month or six weeks' vacation trip to the Eastern States.

J. W. Marshall of Wailuku has accepted the position of manager of the Ulupelakau cattle ranch to succeed Paul Jarrett, and goes up tomorrow to take charge.

Chas. M. Cooke of Honolulu came over on Wednesday's boat and is the guest of Mr. and Mrs. C. E. Wells.

## HILOS SENTIMENTS ON DAMON'S DEATH

Hilo, Hawaii, Sept. 29, 1894.

The Advertiser, Honolulu: I have the honor to inform you that the following resolutions were passed at a special meeting of the Board of Trade held this evening:

"Whereas: The entire community has heard with profound sorrow and indignation of the wanton murder of Mr. S. Edward Damon, of Honolulu, and sees in it an evidence of the eternal warfare between depravity and lawlessness, on the one side, and decency and order on the other; and

"Whereas, We recognize and acknowledge the sterling qualities of the late Mr. Damon, his ability and integrity as a business man, his devotion as a son, husband and father, and his worth as a citizen, and that in his brief life he was an example of good and true manhood; therefore be it

"Resolved: That the Board of Trade of Hilo that we protest against the further tolerance in Hawaii of a class of shiftless and vicious people, who, refusing to work, prey upon the community and make life and property insecure; and we recommend more strictness and severity on the part of the authorities in dealing with these people.

"Resolved: That the Board of Trade of Hilo extend to the stricken family, our heartfelt sympathy and condolence; and be it further

"Resolved: That these resolutions be spread on the minutes of the Board of Trade of Hilo, and that copies be sent to Hon. S. M. Damon, Mrs. S. Edward Damon, and the press of Hilo and Honolulu."

H. VICARS,  
Secretary Board of Trade of Hilo.

## ZAMLOCH NOT A WIZARD PITCHER

Former pitcher Zamloch of the Elks is doing some baseball pitching on Hawaii, pitching recently for the Hilo team in a game with the Waimeas in Waimea, the score, however, being 27 to 6 in favor of the Waimeas. The teams played as follows:

Waimeas—S. M. Spencer, 2 b.; W. Spencer, 3 b.; W. Lindsey, 1 b.; W. Notley, c. f.; J. Koki, c.; T. Kaanaa, r. f.; A. Koki, l. f.; A. Kaaua, s. s-p.; D. Kawai, s. s-p.

Hilo—H. Moto, s. s-c, Beamer Special; Vannatta, 2 b., Union Special; Zamloch, p. 1 b., Honolulu Elks; Elenek, s. s. 3 b., Waialae; Simmons, 3 b-c.; Laupahoehoe; H. Rickard, l. f., Honolulu; E. Horner, c. f., Paauilo, Walker, c. r. f., Paauilo; Uauna, 1 b-p., Waialae.

### SCORE BY INNINGS.

1	2	3	4	5	6	7	8	9
Hilo	.....	0	0	0	1	0	3	2
Waimea	.....	1	6	5	1	0	10	5

WAIKUKU, Oct. 1.—"YES OR NO?"

## Honolulu People Are Respectfully Asked to Answer These Questions.

Is there anything in the evidence of one's memory?

Is there anything in the testimony of one's friends?

Can reliance be placed upon statements from people we know?

Are the opinions of local citizens of any greater moment than those of strangers?

Would you sooner believe people living in some far-away place than residents of your own city?

We think not! for home proof can easily be investigated.

Mr. W. J. Maxwell of this town, Trust officer, writes thus: "I suffered with a horrible pain in the small of my back (an almost invariable symptom of kidney trouble) for a number of years. I was advised to take some of Doan's Backache Kidney Pills, and following the suggestion, I went to the Hollister Drug Co.'s store, Fort street, and got some of these. Having taken them, they relieved me straight away, and are, I may say, the best and in fact the only cure for backache. I have mentioned the virtue of this wonderful remedy to several persons, among whom is my friend, Mr. Frank Metcalf, who found relief, and he is now a firm believer in Doan's Backache Kidney Pills."

Doan's Backache Kidney Pills are sold by all chemists and storekeepers at 50 cents per box, six boxes \$2.50, or will be mailed on receipt of price by the Hollister Drug Co., Honolulu wholesale agents for the Hawaiian Islands.

# DEMOCRATS HAVE RALLY AT ORPHEUM

## Attacks on Carter's Centralizing Policy and the Republican Machine--Cecil Brown Speaks--Several Sensations Are Sprung.

(From Sunday's Advertiser)

The Democratic ratification meeting at the Orpheum last night was a series of sensations, beginning with the reading of a lengthy address by W. A. Kinney, arraigning the executive of the Territorial government and the Republican party in the Islands, closely followed by the appearance in the back of the theater of Cecil Brown, independent Republican candidate for the Senate, who made a speech from the Democratic platform, saying he wanted a chance to do so again, and practically urged every one within the sound of his voice to cast his vote against the Republican party as a protest against the Governor and the machine. This was not the end of the climaxes, for the nominee for the lower house from Ewa read a commission as District Magistrate which had been forwarded to a man at Ewa by the Governor, together with one of the Governor's famous blank resignations. He said the executive was trying to run the courts.

The audience went into raptures over these several developments and toward the end Clarence Ashford arose and moved that it be the sense of the meeting that Cecil Brown be taken up on his offer to speak on the same platform with the Democratic nominees during the campaign, the motion being adopted.

Upon the stage were Chairman W. A. Kinney, Curtis P. Iaukea, nominee for delegate to Congress, Senatorial Candidate Frank Harvey, Representative candidates from the Fourth and Fifth districts and C. A. Galbraith.

### KINNEY'S ALLEGATIONS.

W. A. Kinney opened the meeting by saying that the government had sent out word to its employees on the sewer and street departments not to show up at the Democratic meeting, adding that this was one way of running the government.

As last night's meeting was the opening of the Democratic campaign in earnest, Mr. Kinney stated that he had prepared an address which was of considerable length, and owing to its importance he had decided to put it in writing. Mr. Kinney devoted almost the entire address to assailing the Governor and the Republican party.

In the first place, however, he denied in toto rumors that he was in the campaign for personal interest, that he expected to be rewarded by the gift of some high office. It was high time the Democratic party took a leading part in the affairs of the Islands. The Home Rule party had accomplished nothing and had left the Republican executive undisturbed, and practically without protest, he alleges, to create and develop a system of coercion, intimidation and manipulation of public patronage. This was accomplished through the indifference of the Home Rule party which was more concerned in getting into office and staying there than in safeguarding their constituents' rights.

Mr. Kinney claimed the fundamental rights of a free ballot were slipping out of sight. He said the Democratic party proposed a searching legislative inquiry into the methods and means used by the present executive of the Territory, whereby men are forced to support the administration whether they want to or not.

The demand for undated resignations

from every District Magistrate before he received his commission from the Governor, he alleged had no precedent in the history of Hawaii. He alleged also that with undated resignations opened the way for securing the prosecution of any particular citizen or influencing the judgment of the court in any particular case.

A letter from Sheriff Andrews of Hawaii, which Mr. Kinney said was picked up from the street, wherein the Sheriff had requested a police officer to get an endorsement from his district committee, at being the desire of the executive, "to promote the welfare of the Republican party" was read and discussed at great length, as forming the basis of another charge against the executive. The speaker called for the support of Cecil Brown, taking pains again, however, to indicate that Brown had not been taken into the Democratic fold, but a vote for him would mean a vote of protest against an allegedly interfering executive.

Mr. Kinney said the Republicans had nominated some very good men, but he claimed they were hopelessly handicapped by the issues raised by the Democratic party.

Other speakers were Capt. Campbell, who made his maiden speech and it was a very brief one; W. K. Apua of Laie, Joe Aea and Frank Harvey.

Jesse P. Makainai told how he had come to leave the Home Rule party for the Democratic party. He had spent

four years in unremitting effort in the Home Rule party, and had now become satisfied that there was no room for a Home Rule party. He was now fighting centralization which was rapidly becoming a formidable machine and his voice to all Home Rulers was to discard the old party.

R. H. Trent made a humorous speech. He was a "Kamaaina Democrat." He had never been anything else but a Democrat. He told a story and to give it a local application that the Democrats could go to the highest peaks of Hawaii and scratch the heels of Democrats in heaven, and could go to the slums of Kakaako and scratch the heads of Republicans in Hades. He referred to the red and blue shirted Hawaiians who are now organizing into Republican marching clubs, but said his voice to all Home Rulers was to crimson.

"I believe that a public officer is not the ruler," said Mr. Galbraith, "but the servant of the people. We are opposed to being ruled by any one man or clique of men. We ought to elect every one of these nominees because they are honest and capable, and for the further reason that it would be a pro-

test and extravagance and pernicious of the Republican party."

### BROWN ALMOST DEMOCRAT.

At this juncture Chairman Kinney arose and pointing to the end of the hall called out the name of Cecil Brown. Instantly there was scaring of necks and as soon as Mr. Brown was seen a shout went up. He was invited to the platform and came upon it amid cheers. He spoke first in Hawaiian and then in English.

Mr. Brown at once spoke of the attitude which he has assumed since the Republican convention. He said he had

not come to discuss the merits of the Democratic or Republican tickets or parties, but "I am here tonight as a protest against the Governor of this Territory in his interference and small party politics. I am also here to say

to you that he is driving all the officers of the government to interfere in the legislative, executive and judicial

departments of the Territory. I have

been called a traitor by the Governor. Why is this abuse heaped upon me?

It is because I have taken an independent stand and will not be led around with a ring in my nose."

Mr. Brown said he would not bow to the lash of a dictator or of the executive of this Territory.

"When one department of the government interferes with another, gentlemen, we are going to have trouble. We had trouble here in 1887 (Mr. Brown's voice rose to a menacing pitch), and it was for the same reason, and we are drifting back to that same condition again today. The quicker you put your foot down, the better."

Curtis Iaukea was the last speaker of the evening. The address of Mr. Kinney and those of the other orators will appear in tomorrow's issue of this paper.

### OF CURRENT INTEREST.

#### SLOCUM DISASTER STATISTICS

The last of the awful Slocum disaster has been heard from when on Thursday a report was made to the mayor as to the distribution of the funds for the relief of the sufferers. The total contributions amounted to \$124,000, and nearly all of it has been expended. The remaining \$20,000 has been set aside for the future needs of those who were made to some extent dependent by the disaster.

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"

## Hawaiian Gazette.

Entered at the Postoffice of Honolulu.

H. T. Second-class Matter.

TUESDAYS AND FRIDAYS.

WALTER G. SMITH, Editor.

## SUBSCRIPTION RATES.

Per Month	.....	9.50
Per Month, Foreign	.....	75
Per Year	.....	5.00
Per Year, Foreign	.....	4.00

Payable Invariably in Advance.

A. W. PEARSON,  
Manager.

TUESDAY : : OCTOBER 4

"The most plausible suspicion of the permanence of the American government is founded in the belief that party spirit cannot be restrained. The first object of concerted political action is the highest welfare of the country. But the conditions of party association are such that the means are constantly and easily substituted for the end. The sophistry is subtle and seductive. Holding the ascendancy of his party essential to the national welfare, the zealous partisan merges patriotism in party. He insists that not to sustain the party is to betray the country; and against all honest doubt and reasonable hesitation and reluctance he vehemently urges that quibbles of conscience must be sacrificed to the public good; that wise and practical men will not be squeamish; that every soldier in the army cannot indulge his whims; and that if the majority may justly prevail in determining the government, it must not be questioned in the control of a party. This spirit adds moral coercion to sophistry. It denounces as a traitor him who protests against party tyranny, and it makes unflinching adherence to what is called regular party action, the condition of the gratification of honorable political ambition. Because a man who sympathizes with the party aims refuses to vote for a thief, this spirit scorns him as a rat and a renegade. Because he holds to principle and, low against party expediency and dictation, he is proclaimed as the betrayer of his country, justice and humanity. Because he tranquilly insists upon deciding for himself when he must dissent from his party, he is reviled as a popinjay and visionary fool. Seeking with honest purpose only the welfare of his country, the hot air around him hums with the cry of 'the grand old party,' 'the traditions of the party,' 'loyalty to the party,' 'future of the party,' 'servants of the party,' and he sees and hears the gorged and portly money changers in the temple usurping the very divinity of the God. Young hearts, be not dismayed. If ever any one of you shall be the man so denounced, do not forget that your own individual convictions are the whips of small cords which God has put into your hands to expel the blasphemers. Perfect party discipline is the most dangerous weapon of party spirit, for it is the abdication of individual judgment; it is the application to political parties of the Jesuit principle of implicit obedience. It is for you to help break this withering spell. When you are angrily told that, if you erect your individual judgment against the regular party, you make representative government impossible by refusing to accept its conditions, hold fast by your conscience and let the party go. The remedy for the constant excess of party spirit lies, and lies alone, in the courageous independence of the individual citizen." —George William Curtis.

## THE DEMOCRATIC CAMPAIGN.

The Democrats have no call to make Governor Carter's administration an issue at this time. Gov. Carter is not a candidate for anything and his method of carrying on public business is not on trial before the people of this Territory. He is answerable to the President alone. Even if the Democrats should win on such an issue what could they do? Assuredly they could not get the Governor removed and man of their own appointed; they would have merely recorded a protest which would pass everywhere as the usual pro forma manifestation of Democratic dislike to a Republican administration.

There is but one issue here and that is the election of law-makers, the Congressional and legislative tickets. What have the Democrats to offer under this head, now that the Republicans are pulling down their undesirable men? What legislative policies do they propose and oppose? What about the qualifications of their nominees? Where is the advantage to the Territory of electing a Democratic legislature? All these are pressing questions fit for discussion, but the Democracy avoids them and directs its fire against an Executive who is not elective and who can't be hurt if he is hit.

## ENLARGE THE CHAIN GANG.

We quite agree with the Star about the need of a rigid enforcement of the vagrancy laws—a constant rounding up of those who have no visible means of support. Idleness in the slums is a breeder of crime as scores of criminal instances in our recent history attest. It is useless to offer the idlers work for that is the last thing they want in a city where nearly every house is insecurely locked and where the ordinary traveller on lonely roads has not yet accustomed himself to going armed. Between highway robbery, burglary and petty larceny, the dwellers in the slums manage to live without labor.

The remedy for this sort of thing is the rock pile and the chain gang. Hard work for the Territory will do. There is good promise of considerable compensation if development of small farming on Maui there is any cure at all. Before risking through the irrigation enterprise of a second sentence the hobo will look the large sugar plantation companies for a plantation where he knows that the planters are not antagonistic to him. He will be especially welcome in diversified industries as shown by the Maui Agricultural Corporation, to erect a sisal fibre mill upon a back in idleness.

Meanwhile this island could utilize its great number of idle men to double or quadruple the number of citizens that are now working in the quarries and on the roads. There is no lack of work. All that is needed are the strong arms to do it.

## CECIL BROWN.

There were four candidates for the Republican nomination as senator for the Island of Oahu, to fill three vacancies.

Mr. Cecil Brown was one of these candidates. He was not nominated and immediately after the convention adjourned, announced his intention of running anyway.

He stated that the sole and specific ground for this course was that the administration had intimidated delegates, more particularly office-holding ones, into voting against him, who otherwise would have voted for him, and therefore the administration should be rebuked.

Mr. Brown gave no specifications as to intimidation and coercion, and the Advertiser therefore called for names, dates and specific acts. Mr. J. L. Kaulukou immediately responded that

Attorney General Andrews had told him that Mr. Brown was opposed to the administration, but that notwithstanding this information, he, Kaulukou, worked and voted for Brown.

Several days have elapsed and nothing further has been heard from Mr. Brown's side of the question, from which we conclude that nothing more will be said, as now is the time when voters are making up their minds, and if he had any facts supporting his position, he would naturally present them.

Mr. Kaulukou's statement tends to prove if it tends to prove anything, that he is a high-minded and independent citizen, who cannot be led to violate his conscience, but it does not prove or tend to prove that anybody was coerced into voting against Cecil Brown.

Mr. Brown's charge stands, therefore, unproven.

Under these circumstances the Advertiser does not see any ground for supporting Mr. Brown.

He went before the convention with Messrs Dowsett, Bishop and Lane, knowing that only three of them could be nominated.

He made no objection then, and he makes none now, that either Bishop, Dowsett or Lane are unfit or incapable of properly filling the office. He had the right to expect that if he were nominated, whoever of the other three candidates failed of nomination would gracefully withdraw and support the ticket nominated. The other candidates had the right to expect, and did expect, the same treatment at his hands. What have they done that he should now attempt to defeat them?

Mr. Brown knew as well before the convention as he did afterward that he was not a supporter of the administration and that the administration was not supporting him; but he took his chances—and lost.

In other words, Mr. Brown was willing to accept all the advantages of the party organization and support if nominated, but is unwilling to accept the co-relative obligation of abiding by its decision when it decides against him.

This is bad policy, and bad politics. If Mr. Brown had stopped to think the matter out, we believe that he would have also realized that it involves bad faith on his part, which is not a part of his nature.

Mr. Brown cannot afford to endanger the whole Republican senatorial ticket, which he will certainly do if he continues his independent candidacy, for some men who vote for him will scratch one of the Republican candidates and some another, thereby so lowering the average of each that they may all be defeated, and that without necessarily electing Mr. Brown.

We believe that in the interests of good government Mr. Brown should waive any personal feeling he may have in the matter, and withdraw his candidacy.

Land Commissioner Pratt does well to enforce the homestead law, especially on Hawaii, where its privileges have been abused without stint. Some years ago during the Boyd regime, the iniquities of which the Advertiser constantly followed up, this paper charged, on the authority of the Hilo Tribune, that not three per cent of the homesteads on Hawaii were held by bona-fide settlers. Now it appears that twenty home-steaders on the new Ola subdivision which was opened in September, 1900, not one can prove up. Nothing was easier awhile back than for a Hilo man to take a tract of land, build a shack on it, visit the place on Sundays and call it in compliance with the law which demanded "continuous residence." There have also been such cases on this island.

Mr. Pratt will now proceed to cancel the unearned leases and if he will go further and put people on the land who will cultivate it, his will be the credit of helping to carry out, in the most effective way, the President's program of development for Hawaii on traditional American lines.

Professor Henshaw, who conducted a successful campaign against mosquitoes in Hilo, is reported by the Hilo Tribune to have written from Fruitvale, California, where he has been experimenting with mosquito larvae and tadpoles, or undeveloped frogs. The result of his experiments have shown that the tadpole does not feed upon the mosquito larvae or pupae and any belief to this effect is erroneous. He discovered however that in the same artificial pools where he had introduced gold fish ten years before when the place was infected by mosquitoes, the fish had not been troubled since.

Gold fish are easily procurable and from Professor Henshaw's experiments, they may be the means of saving ornamental ponds which otherwise the owners might deem it well to wipe out.

The remedy for this sort of thing is to breed places for mosquitoes.

The remedy for this sort of thing is the rock pile and the chain gang.

There is good promise of considerable compensation if development of small farming on Maui there is any cure at all. Before risking through the irrigation enterprise of a second sentence the hobo will look the large sugar plantation companies for a plantation where he knows that the planters are not antagonistic to him.

He will be especially welcome in diversified industries as shown by the Maui Agricultural Corporation, to erect a sisal fibre mill upon a back in idleness.

Meanwhile this island could utilize its great number of idle men to double or quadruple the number of citizens that are now working in the quarries and on the roads.

There is no lack of work.

All that is needed are the strong arms to do it.

The American Embassy has found it convenient to leave Russia on business.

Since the war began Mr. McCormick has had scant courtesy at St.

Petersburg and his stay in the United

## AMERICA'S FRUIT TRADE.

Bananas and lemons regularly constitute in value over one-half the total imports of fruit to the United States. Imports of bananas range from \$1,000,000 to \$20,000,000 bunches annually and their cost, laid down at ports of the producing countries, ranges from \$7,000,000 to \$50,000,000 a year. The figures for the fiscal year ending June 30, 1903, were 23,711,362 bunches and \$8,834,783 value. Of lemons the imports for the same year, Sicily being the almost exclusive source of supply, were 1,627,775,867 pounds valued at \$3,087,244. Figures are not complete for the corresponding year ending June 30, 1904, but the value of imported bananas was \$7,109,843, a decrease of \$834,920 from the previous year, while lemons show an increase in the importation of 171,923,221 pounds valued at \$3,659,598.

Up to the beginning of the present century, a recent official report says, the annual exports of fruit from the United States seldom amounted in value to one-half so much as the imports, but since that time they have increased steadily, and in the year ended June 30, 1904, exports of these products, for the first time in the history of the trade, actually exceeded the imports, the value of the former at ports of export having been \$20,348,239, while that of the latter at foreign ports whence imported was \$18,964,930. The exports of 1903-4 were, however, exceptional, owing to a shortage in the apple crop of some countries of northern Europe, and to a partial failure of the prune crop in sections of southern Europe. The probability is that there will not be a repetition of these heavy exports, especially of apples and prunes, during the present year.

After bananas and lemons, already mentioned as the chief imports of fruit, the remaining fruits imported embrace a great variety. Probably the most important, as measured by the cash standard, are the small raisins, or dried grapes, imported principally from Greece under the name of currants or Zante currants; about \$1,000,000 worth of this fruit is consumed annually in the United States. There is also an import trade of almost equal value in fresh grapes, of which the Almerian district in Spain is the chief source of supply. Olives, green or prepared, are imported in quantities amounting to about 2,000,000 gallons a year, and represent an expenditure abroad of about \$750,000 annually. Imports of oranges have been undergoing a steady decline for the past few years under the influence of a heavy increase in domestic production; the total imports of this fruit for the fiscal year, 1903-4, amounted in value to only about \$500,000, and this was more than counterbalanced by the exports of domestic oranges, the value of which was upwards of \$700,000.

The only other fruits imported in quantities whose value exceeds or approaches the \$500,000 mark are figs, dates, raisins, and pineapples. For figs and dates Turkey-in-Asia is the principal source of supply. From 10,000,000 to 15,000,000 pounds of figs and about 20,000,000 pounds of dates are imported each year, the annual value of the former being from about \$500,000 to \$700,000, and of the latter from \$350,000 to \$450,000. Raisins twenty years ago were imported into the United States in quantities amounting in value to upwards of \$5,000,000 annually. But for several years past the cultivation of this fruit in California, notably in the vicinity of Fresno, has been conducted with such success that practically the entire demand of the United States is now supplied from that source. Imports, it is true, are still made to the extent of about \$400,000 to \$500,000 worth annually; a growing export trade in domestic raisins, however, coupled with the re-exports practically balances the account. Pineapples are imported from tropical America in considerable quantities; the annual imports amount in value from about \$500,000 to \$600,000. Other fruits in great variety are imported, but only in comparatively small quantity.

The export trade in fruits has increased enormously within recent years. From a value of \$4,856,517 in 1894-95 this trade increased to \$11,458,172 in 1895-96, declined to \$8,415,103 in 1901-2, and again increased to \$20,348,239 in 1903-4. American fruits are now known in the markets of many of the principal countries of the world. The varieties most abundantly found on foreign markets are apples and prunes. In 1903-4 there was shipped from the United States to foreign countries \$2,237,894 worth of apples (including both fresh and dried) against \$6,760,436 worth in the previous year; and of prunes during the respective years \$3,410,497 and \$3,512,507 worth. In point of value apples constitute over one-third, and apples and prunes, combined, over one-half of the fruit sent from the United States to foreign consumers. It is thus seen that these two products occupy in value a position in the export fruit trade corresponding closely to that filled by bananas and lemons among imported fruits.

The scheme to enlarge Aala Park is a good one. Parks look better in squalid districts than they do anywhere else because of the contrasts and they are useful, besides, to head off fires.

The Russians can't locate Kuroki's Army. Have they searched the underbrush between Mukden and the next station north?

Too many people haven't registered. There are only four days left.

## THE RICE INDUSTRY.

White rice has dwindled to the vanishing point as a Hawaiian export staple within a few years past; the rice industry of the mainland has been advancing by leaps and bounds. The Crop Reporter, published by authority of the Secretary of Agriculture, in its September issue states that a preliminary report to the Chief of the Bureau of Statistics of the Department of Agriculture shows the total acreage of rice in the United States this season to be about 643,400 acres, distributed as follows: North Carolina, 1,800; South Carolina, 33,300; Georgia, 9,000; Louisiana, 265,100; and Texas, 234,200 acres. The rice acreage of the country has increased 82 per cent within the last five years and is now four times as large as was fifteen years ago. In 1895 Louisiana and Texas contained 58.9 per cent of the total rice acreage of the country. Now these States contain 93.1 per cent of the greatly increased total.

Rice cultivation in the Gulf States is not the same kind of an industry as we see in Hawaii. To compare them would be like comparing the operations of the great wheat farms of the United States with the corn-growing industry of the time of Moses, who made it a misdemeanor to muzzle the ox that threshed over the crop with his hoofs. In Louisiana and Texas modern machinery and methods are used in every stage of the rice industry from the preparing of the ground to the marketing of the cleaned product.

The question has been raised as to whether or not the available areas good for rice-growing are large enough and the lay of the lands is suitable, in these Islands, to make practicable the cultivation on a large scale with machinery and methods of irrigation such as are employed on the vast marsh level of the Gulf States. However that problem may be determined, it is to be hoped that the local industry will not utterly pass away.

The large domestic consumption of rice, as the principal food of thousands of plantation laborers, makes the saving to the Territory from raising its own supply something worth an effort to procure. Even with the ancient system in vogue here, where the planters are Orientals, the absence of all winter conditions and the unequalled productiveness of the soil, together with the transportation item, ought to count for much in meeting competition of mainland rice. As was shown in the September number of the Hawaiian Forester and Agriculturist, on the authority of the United States Census, both the yield and the average value an acre of rice in Hawaii were out of sight higher, four years ago, than they were in the Southern States. The only cause that we have heard stated for the depression in the Hawaiian rice industry is a scarcity of labor. If there are no other causes, then, under the Exclusion Act and so long as the Chinese planters are dependent on, or look only to, their own countrymen for labor in the rice fields, the condition would seem to be irreducible. It would probably be idle, during a strong sugar market, to propose the interposition of American enterprise and capital for creating a new rice industry, supposing what has been shown to be questionable, that labor-saving devices could here be successfully applied.

The Republican managers have done well to get Shaw off the ticket in the Fifth and should now pull down Maheleona, who is scarcely less objectionable. Then if they fill the two vacancies with first class men, the Advertiser now knows of no reason why there should not be harmony in the Fifth. All the conservative vote asks in the Fifth is that the ticket shall be clean and reasonably competent.

Cacao growing, the pineapple area spreading, plantations giving land for sisal and encouraging people to till it, Edwards' vanilla farm at Napoopoo promising well, the Hilo district raising more bananas, alligator pears seeking the New York market—who says that Hawaii is not going to have diversified agriculture?

The scheme to enlarge Aala Park is a good one. Parks look better in squalid districts than they do anywhere else because of the contrasts and they are useful, besides, to head off fires.

Charles Vandenberg was locked up last night for assault and battery on a Chinaman by the name of Al You. Officer Esplinder had a long chase after him but got him late last night. A big batch of gamblers was taken in.

A Japanese servant girl in the employ of Frank L. Winter, U. S. Deputy Marshal, was badly burned by the explosion of an oil stove while preparing poultices for her employer, who is ill. She was taken to the Japanese hospital.

Judge Lindsay suspended sentence yesterday in the case of Lepoka, a native woman who had pleaded guilty of selling liquor without a license. It appears the woman had others dependent upon her, so the court did not inflict punishment.

Delegate Kuhio, with E. F. Bishop, J. C. Lane and J. M. Dowsett, Senatorial candidates, and D. Kalauokalani, Jr., Charles Clark and Hui returned yesterday morning from a stumping tour in Wailuku district. They reported having been received with enthusiasm by the people.

Aliens desiring to be naturalized in the Federal Court in time to register for the coming election will require to go before Judge Dole tomorrow, that being the last day of the present term. The Territorial courts of record have jurisdiction of naturalization, but the process is cheaper in the Federal Court.

Charles Dunwell, the hack driver, says that he has lived in Jamaica and that the bats which it is suggested should be imported from Porto Rico, would prove a great detriment to the Hawaiian Islands. They are of the same variety that is found in Jamaica and in that island, the bats are very destructive.

H. Hackfeld & Co., Ltd., has filed its motion, previously reported as intended to dissolve the temporary injunction sued out by I. Rub

# IN QUEST OF A JURY

## First Day's Work In Miranda's Trial.

A beginning was made before Judge Gear yesterday in the empaneling of a jury to try Jose Miranda, indicted for murder in the first degree for the killing of Samuel Edward Damon a week ago tonight. Attorney General Lorrin Andrews and Deputy Attorney General M. F. Prosser appeared for the Territory. Geo. A. Davis and Frank E. Thompson, assigned by the court, for the defendant.

Miranda was closely guarded in court, having been unmaned outside. He looked more serious than on the previous day he was brought in, and a somewhat wan appearance replaced to a certain degree his former bold demeanor.

Judge Gear's regular panel for the term has but three or four men to spare when those specially excused and those disqualified are counted out. Hence opinions requiring evidence to remove and scruples against capital punishment soon exhausted the panel.

Three talesmen were called, without objection from the defense, but soon the rigid questioning of jurors left only eleven men on the jury days again. A special venire of 49 names was then ordered to issue, returnable at 10 o'clock this morning.

The courtroom was packed with spectators, including some Porto Ricans, during the proceedings. It was a close and sultry day and the atmosphere of the chamber may better be imagined than described.

### HAYASHIDA SENTENCED.

Hayashida, tried for the murder of his Japanese countryman Sato at Wailuku and found guilty Friday night of manslaughter, was sentenced yesterday by Judge Gear to the limit of the law—imprisonment at hard labor for twenty years. Addressing the prisoner in passing sentence, the court told him he had to thank his counsel, J. W. Cathcart, for saving him by the ability of his defense from conviction of the crime that would have called for the death sentence. The court could see no mitigating circumstances, nothing in his case that could reduce the cowardly cruelty of his crime. In the court's opinion a verdict of murder in the first degree could fairly have been returned.

"The court considers that you are guilty of a most cruel, brutal and cowardly crime," Judge Gear said. "After you had beaten a man with a stick until he lay senseless on the ground you deliberately hunted for another stick, having broken the first on your victim's head, and went back to where he lay prostrate and beat him to death."

### THE PARKER CASE.

S. M. Ballou, of counsel opposed to J. S. Low's suits to oust A. W. Carter from the guardianship of Annie T. K. Parker, a minor, yesterday succeeded in having advanced on the Supreme Court calendar the petition for a writ of prohibition to restrain Circuit Judge Gear from taking jurisdiction in any of the proceedings now pending.

In his argument Mr. Ballou objected to the heading in all of the papers in the case, excepting the latest decision of Judge Gear. The heading, "In the Circuit Court of the First Judicial Circuit," he held was wrong. Judge Gear gave the right caption, "Before a Judge of the Circuit Court of the First Judicial Circuit at Chambers."

If the case should go up to the Supreme Court of the United States upon the erroneously headed papers, that tribunal would be apt to decline jurisdiction for the reason that no Federal question appeared on the face of the records. The point raised by the writ of prohibition is a Federal issue in that it questions the authority, under the Organic Act, of a Circuit Judge to take jurisdiction of equity and probate matters at chambers, that enactment of Congress omitting to give "Circuit Judges at Chambers" any share of "the judicial power" of the Territory, such as the Hawaiian statutes gave them under the monarchy and the republic.

Mr. Ballou pleaded the importance of the issue in asking the court to advance the case, also to give him two weeks to prepare briefs.

J. A. Magno objected to delay and dilatorily. He was ready. The case was one needing an operation. It was not such a formidable matter to need a long time for preparation. Mr. Ballou ought to be able to prepare his case by Friday, or even Thursday next.

Chief Justice Frear announced that the case would be advanced and set for hearing a week from Monday next.

### THE HAGEY CASE.

The motion to dismiss Harrison W. Magno, et al., the Hagey cure case, was the first one argued and submitted at this session of the Supreme Court.

### MRS. GERTZ DEFEATED.

Mrs. Gertz argued long and earnestly on her petition for writs of mandamus to various persons, for the purpose of bringing up mortgage suits against her

husband, C. Gertz, and herself disposed of several years ago. Chief Justice Frear, on consultation with Justices Hartwell and Hatch, informed the complainant that her petition was denied, the court finding it was without jurisdiction.

The complainant disputed the finding of the court and began again to argue, when the Chief Justice informed her that the court had given her a full hearing and she could not be heard further.

Justice Hartwell, as the complainant went on talking, said: "Mrs. Gertz—

The court has extended a privilege to you which it would not allow to any lawyer or any official, from the Governor down. Your petition has been

carefully read by the court and considered, but we can find nothing in the books where a writ of mandamus has been granted in a case such as yours."

Chief Justice Frear checked an attempt of Mrs. Gertz to reply to the court by again informing her that her petition had been heard and denied, therefore she ought now to sit down.

Mrs. Gertz turned from the bench, repressing further speech with a visible effort, and gathering her papers and purse from a table left the courtroom. Before going out, she turned near the door as the voices of attorneys were heard in the next case and seemed about to give a parting address to the court, but seeing the court's attention absorbed with other than her affairs she gave one, despairing look toward the bench and disappeared.

### KONA CASE REOPENED.

The suit for possession of the Kona Sugar Co.'s mill property is again open. Judge Edings gave judgment for the Kapiolani Estate, Ltd., against C. J. Hutchins, trustee, which the Supreme Court set aside, remanding the case to the Third Circuit Court. Judge Matthewman, Edings' successor, has granted a new trial of the case.

### WILLS PROBATED.

Judge De Bolt admitted the will of Maria Faustina Fernandez to probate and appointed Manuel Fernandez administrator under a bond of \$6200. Smith & Lewis for petitioner.

Judge De Bolt admitted the will of Hoopii Silva to probate and appointed W. O. Smith as executor under a bond of \$3500. Smith & Lewis and L. J. Warren appeared for petitioner.

### JOHNSTON'S COMPENSATION.

In the case of Harry J. Johnston vs. Lee Toma & Co., Ltd., the jury before Judge Robinson found for the plaintiff in the sum of thirty-five hundred and seventy-five dollars (\$3575). The claim was for \$507.20, being one-third of duties saved on Manila cigars for defendant by plaintiff as a custom house broker.

### COURT NOTES.

John Naauao Makawa, a minor, has filed a petition in the Court of Land Registration for a title to a lot at Kaakopua, Honolulu, containing 6140 square feet. The petition has been referred to J. M. Monarrait, examiner of titles.

The First National Bank of Hawaii is suing H. A. Heen and the Oriental Insurance Co. on a promissory note by Heen to defendant compay for \$1000 with interest at 9 per cent from November 1, 1902, which note was assigned to the plaintiff.

Hoffschlaeger & Co., Ltd., vs. S. Kato, defendant, and Hana Plantation Co. is discontinued. It was a suit on a judgment by District Magistrate J. K. Hanuna of Hana, Maui, in favor of plaintiff for \$189.

Judge Robinson vacated the judgment and granted the motion of plaintiff for a new trial in the case of H. G. Middleitch, trustee, vs. J. Kalanianaole.

Cham Woot vs. Woing Kwai et al. has been discontinued. It was defendant's appeal from judgment for plaintiff in the sum of \$54.73 in the District Court.

## TWO MEN FAIL

### OF CITIZENSHIP

Judge S. B. Dole was obliged to deny two applications for citizenship yesterday afternoon. They were subjects of Portugal and the cause of their rejection was ignorance, in one case general and in the other specific. The applicant of the latter class was unable to tell the difference between the government of Portugal and that of the United States. Nineteen of their fellow-countrymen were naturalized.

In the morning Judge Dole naturalized four aliens and in the afternoon twenty, holding the second session at the special request of Attorney General Andrews. The list follows:

Great Britain—James Cuning, Scotland; Chas. A. De Cew, Canada.

Germany—Eugene Frey, Dien Pohde, Henry Kaus.

Portugal—Antone Martins, J. P. Benito, John Andrade, Joe Silva, John Souza, Manuel J. Bernavitz, Antone B. Madeiros, Jos. Teixeira, Antone Marques, Manuel Rawlins, Frank Simao, Seraph Braga, John Rodriguez, Jr., Frank Gomes, Manuel A. Gomes, Jose Cordeiro, Manuel Soares, Joe Garcia, Louis A. Perry.

### LAME BACK.

This ailment is usually caused by rheumatism of the muscles and may be cured by applying Chamberlain's Pain Balm two or three times a day and rubbing the parts vigorously at each application. If this does not afford relief, bind on a piece of flannel slightly dampened with Pain Balm, and quick relief is almost sure to follow. For sale by all dealers and druggists.

Benson, Smith & Co., Ltd., agents for Hawaii.

# GOVERNOR CARTER HAD A GREAT TIME ON MAUI

## A Round of Social Attentions While There Breaking New Land--General Development. The Campaign a Lively One.

MAUI, Oct. 1.—Governor Carter's reception at Puunene was the greatest event of his Maui tour,—greatest in regard to numbers and most elaborate as to arrangements.

Last Saturday afternoon, Sept. 24th, the whole country round about was full of life and movement. Flags waved from the various masts; Japanese crowded into hacks scurried hither and thither; young Hawaiians filled Kahului depot and played guitars and stepped the hula-kui while waiting for the cars; trains full of people went clanging along from Wailuku, Kihel and Pala—everything for the time seeming to be centered on the great mill at Puunene from whose lofty cupola floated the stars and stripes conspicuous for miles around.

At 3 o'clock p. m., at Puunene more than thousand people of different races sat down to a magnificent spread of dainty viands cooked a la Hawaiian.

At 4:15 p. m., at the finish of the luau, the Governor made an address of an hour's duration which was ably interpreted into Hawaiian by Hon. S. E. Kellino.

The subject matter of the speech was much the same as delivered recently on similar occasions, but, as heretofore it made the best of impressions upon the large audience present.

At 5:30 p. m., the trains conveyed many of the guests of the H. C. & S. Co., to their homes—some of whom returned later to the dancing party given in the mill by the 7th Precinct Republican Club.

In the evening the interior of the huge sugar factory was resplendent in its adornment of flags, bunting and greens, and brilliantly lighted with many electric lamps, the most attractive decorative feature of the occasion being the legend "Governor Carter" traced on the wall in electric lights.

At 8 p. m., during the progress of the grand march, Gov. and Mrs. Carter held a reception, Hon. H. P. Baldwin acting as master of ceremonies.

On the vacuum-pian room transformed for the moment into a most delightful bower, Carter Mayfield served the choicest of midnight lunches to all the ladies and gentlemen who climbed the lofty stair-case.

The large and select number of guests present enjoyed dancing to the music of the Wailea stringed band and at times to pieces played by a pianola.

The party broke up at 1 a. m., the trains at that hour steaming away to the various centres.

Sunday, the 25th, was spent by Gov. and Mrs. Carter at the Puunene home of Mr. and Mrs. H. P. Baldwin.

Monday morning, at 10:30 a. m., the Governor addressed the pupils of the two large Wailuku schools, the government and the Catholic mission, which were assembled in front of Hon. J. W. Kalua's residence in Wailuku.

In the afternoon, Wailuku citizens entertained the Gov. and Mrs. Carter at a grand luau given on the lawn in the rear of ex-Judge Kalua's residence.

In addition to the usual Hawaiian dishes rosated ears of corn was one of the attractions of the toothsome feast.

More than 500 people enjoyed the banquet and listened to the most interesting address by the Governor.

The evening was spent in dancing within the parlors of the Kalua home.

At 9 o'clock the next day Gov. and Mrs. Carter drove to Lahaina where, in the evening, they departed for Honolulu per steamer. Likewise.

In his tour, the Chief Magistrate of the Territory made an almost entire circuit of the island—the only break being that barren stretch of country between Kaupo and Ulupakaua, in which are situated the little village of Nusa, and the cattle ranches Walopai and Kadiakai.

In the tour, the Chief Magistrate of the Territory made an almost entire circuit of the island—the only break being that barren stretch of country between Kaupo and Ulupakaua, in which are situated the little village of Nusa, and the cattle ranches Walopai and Kadiakai.

All this land is virgin soil—being a portion of the 2,100 acres purchased from Haleakala Ranch about four years ago and adjoining Kaliakalui and the rest of the 5000 acres recently purchased from Kihel.

The Maui Agricultural Co., (Pala and Hamakaua) has now an acreage nearly equal to that of the H. C. & S. Co. However there is no comparison at present between the two sugar estates in regard to cultivated areas as can be seen by comparing the crops for 1904—H. C. & S. Co.'s being \$2,000; T. and M. Co.'s something less than 14,000 tons; (Pala approximately 8,000 tons, and Hamakaua 6,000 tons.)

### MAUI'S DEVELOPMENT.

A former Maui resident would gaze with wonder at the change that has taken place on "the plains" within the last few years. What was formerly a vast area of red dirt barren of vegetation is now under fence intersected with ditch and covered to a great extent with fields of sturdy-looking cane, and all the available land on the commons stretching from Kahului and Spreckelsville to Maalaea and Kihel and up the slope of Haleakala to Kula.

The Maui Agricultural Co., (Pala and Hamakaua) has been pre-empted for cultivation by the three plantations of Kihel, Puunene and the Maui Agricultural Co. Year by year additional water from the mountains of East Maui is being

led on so that within a few years the former desert plains will be entirely obliterated, transformed into the best plantation lands on the island.

### THE CAMPAIGN.

The Maui Republican campaigners including all the candidates under the management of Geo. O. Cooper will return to Wailuku today from their East Maui tour. Their itinerary includes meetings at Pehi, Huelo, Keanae, Nakiku, Hana, Puuiki, Kipahulu, Kaupo, Makena, and Keokea (Kula).

At all these places they had well attended rallies—everybody, whatever their political opinions, coming and listening as though eager to gain information. The former lukewarm feeling seems to have entirely disappeared and the prejudice against Republicans simply because they are Republican seems also to have vanished.

Nakiku is so strongly Republican to a man that notices have been posted on the highway warning Home Rule and Democratic orators to keep away, to pass by over the mauka instead of the makai road which leads through their village.

While at Makena on Thursday, J. L. Coke and all the Home Rule candidates, excepting John Richardson were holding a meeting at Ulupalakaua, three miles away. However, the Republicans had the better of it for it was a cattle-shipping day and many of the male inhabitants were at Makena.

On Monday, the 3d, the Republicans will hold a grand rally and banner-raising event in Wailuku. Republican orators will hold forth and a huge banner will be raised at Kepolka's corner between his block and Rodriguez's store.

The banner which is a handsome piece of work by Harris—the well-known local painter, is made of canvas, twenty-five feet long by six feet in width with a striking portrait of Prince Kuhio on both sides and also the names of the Maui Republican candidates inscribed thereon.

### NOTES.

The steamer Kauai was at Huelo last Saturday loading sugar-mill machinery for Kukuhale, Hawaii. This steamer has visited Huelo quite frequently of late on the same errand. All the buildings at Huelo, belonging to the Maui Sugar Co., have been dismantled excepting Manager Myers' residence which has been purchased by a Hawaiian resident.

Saturday afternoon, Sept. 24th, a mountain party consisting of Mr. and Mrs. D. B. Murdoch, Mr. and Mrs. W. A. Baldwin, Mr. and Mrs. J. Myers, and John Guild, ascended Haleakala's slope as far as Oliana, spent the night there and on Sunday went on up to the summit and down into the crater. They returned on Monday.

Thursday morning, September 29th, a pasture fire in upper Mekawao caused quite a flurry for an hour or two. Isaac Shaw, the care-taker of Mrs. Alma Johnson's premises, attempted to burn off some pasture land, but the fire quickly got beyond his control, owing to the dry vegetation and the wind swept the flames in the direction of "Maluhia"—the residences of Messrs. H. P. and F. F. Baldwin. Manager H. A. Baldwin was notified by telephone but before he arrived on the spot accompanied by a number of Portuguese laborers from Kaliuanu, the fire had been extinguished through the efforts of T. Awana, Edgar Morton, Judge Copp and a number of Chinese.

Cashier C. D. Lufkin of the Wailuku bank departs today for New York. F. C. Atterton will manage the bank in his absence.

F. W. Schultz of Makawao departs today for Honolulu.

Friday, Sept. 30th, congratulations were offered Mr. and Mrs. W. S. Nicol of Hamakaua upon the birth of a baby boy.

The beautiful new Wailuku schoolhouse is now well-nigh complete excepting painting.

Engineer S. E. Taylor of Hamakaua, accompanied by his son, Joe, went to San Francisco to last Nevedan. John Guild of Alexander & Baldwin has been the guest of J. P. Cooke of Kula, during the week.

The Makawao Ladies' Aid Society will give a bazaar in November at the Puunene residence of Mrs. H. P. Baldwin, its president. Weather very dry.

### REPUBLICANS RALLY

### THE KAKAKO VOTERS

(Continued from Page 1)

making a mistake because he requires a man to give him his resignation when he takes office. That is proper. Carter can't afford to lose control of the men whose acts make or mar his administration."

Mr. Towne spoke for Prince Kuhio and gave reasons why he should be returned to Congress. To send an untried man would be to begin the work all over again, and Hawaii would suffer.

### ACHI RIPS DEMOCRATS.

Senator W. C. Achi said that the Democrats are reported to be stating that if they get into power they will relieve the poor man of



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**THERAPION.** This successful remedy, used in the Continental Hospitals by Dr. Alfred M. Karrer, Robert, Paris, and others, is now available in Hawaii to be bought as a medicine of the kind, and surpasses everything hitherto employed. **THERAPION No. 1** maintains its world-renowned and well-merited reputation for the removal of the kidneys, pain in the back, and bladder ailments, affording prompt relief where most well-known remedies fail. **THERAPION No. 2** for simplicity of the blood, convulsions, spasms, blisters, pains and swelling of joints, gout, rheumatism, & all diseases for which it has been too much a failure to employ mercury, arsenic &c. to the destruction of suffering teeth and ruin health. This preparation provides the whole system through the body, and the thoroughly purifies the body from the head to the feet. **THERAPION No. 3** for exhaustion, sleeplessness, and all distressing consequences of consumption, worry, overwork, &c. It possesses surprising power in restoring strength and vigor to those suffering from the overwhelming influences of heat, cold, rheumatism, & all maladies.

**THERAPION** is sold by the principal chemists and druggists throughout the world. Price in England, 1s. 6d. and 4s. 6d. In ordering state which of the three numbers is required, and observe that the word "THERAPION" appears on the British Government Stamp (in white letters on a red ground) attached to every smaller package of one of the three preparations, and without which it is a仿品.

REAL ESTATE TRANSACTIONS.

Entered for Record Sept. 29, 1904.

Peter C. Jones Ltd to Supt Public Works, Ter of Hawaii ..... D

Luisa Kaaloa et al to Supt Public Works, Ter of Hawaii ..... Receipt

Anna M. Gertz ..... Declin

J. Alfred Magoo and wf to Ethel K. Abrams ..... D

J. K. Kapunial and wf to Jas. Mc. Clellan ..... M

Entered for Record Sept. 30, 1904.

Melekuie (w) to John K. Kapukil ..... D

S. Ozaki by atty to Charles H. Aki ..... D

Charles T. Simerson to Morino ..... L

K. Murakoshi to First Natl Bank of Walluku ..... CM

W. H. Cornwell and wf to First National Bank of Walluku ..... M

Kamaka Whitmarsh to Joseph Whitmarsh ..... D

Entered for Record Sept. 30, 1904.

Lee Jim was before Judge Lindsay yesterday to answer to the charge of assault and battery on his wife. She refused to appear against her pugilistic husband, so the case was nolle prossed.

## COMMERCIAL NEWS.

BY DANIEL LOGAN.

Local confidence in Hawaiian securities is manifest in different transactions of the past week. A block of Rapid Transit bonds at the handsome figure of 105, stated last week as being asked, shows the high financial standing of that enterprise. In the latter part of the week \$30,000 in Hawaiian Government 5 per cent bonds was recorded as changing hands at par. It is learned that these Territorial bonds were sold by a San Francisco bank to a local investor. The four local banks under American ownership showed their confidence in the promises of Treasurer Campbell, on the basis of his past dealings with them, by reducing the rate of discount on Treasury warrants to be issued up to the set time of redemption of all outstanding warrants in November from two per cent. to one per cent. By the way, the Treasury has the past week redeemed another round thirty thousand of warrants—\$29,821.22 to be exact. The sugar stocks that lately started on the rise have maintained increasing strength during the week. A significant fact is that small investors on the outside are beginning to discuss which of the stocks that have not yet responded to the uplifting influences on the market would be best to buy at present rates.

## SEPTEMBER SALES.

Following is the list of September sales put out by the Honolulu Stock and Bond Exchange on the last day of the month:

Par.	No. Shares.	High.	Low.
C. Brewer & Co. ....	\$100	144	\$305
Ewa Plantation Co. ....	20	330	23
Hawaiian Commercial & Sugar Co. ....	100	270	65
Hawaiian Sugar Co. ....	21	51	27
Honomu Sugar Co. ....	100	50	116
Honokaa Sugar Co. ....	20	25	16
Kihel Plantation Co., Ltd. ....	50	360	12%
McBryde Sugar Co., Ltd. ....	20	276	4
Oahu Sugar Co. ....	100	83	97
Ookala Sugar Plantation Co. ....	20	110	6
Olaa Sugar Co., Ltd. ....	20	100	4½
Pioneer Mill Co. ....	100	45	105
Wai'anae Agricultural Co. ....	100	260	50
Oahu Railway and Land Co. ....	100	95	70
Hawaiian Government 5 per cent. ....	100	\$54,000	100
Hono. R. T. & Land Co. 6 per cent. ....	100	5,000	105
Pioneer Mill Co. 6 per cent. ....	100	1,000	100

## THE WEEK'S TRANSACTIONS.

Sales registered by the Honolulu Stock and Bond Exchange for the past week have been as follows: C. Brewer & Co., Ltd. (par \$100), 23 shares at \$305; Honolulu Rapid Transit & Land Co. 6 per cent bonds, \$5000 at 105; Kihel Plantation Co. (par \$50), 100 shares at \$12.75; 50 do, at same; Honomu Sugar Co. (par \$100), 50 shares at \$116; Hawaiian Government 5 per cent bonds, \$50,000 at 100; Pioneer Mill Co. 6 per cent bonds, \$1000 at 100; McBryde Sugar Co. (par \$20), 76 shares at \$4; Oahu Sugar Co. 6 per cent bonds, \$3000 at 100; Hawaiian Government 5 per cent bonds, \$30,000 at 100.

## SEPTEMBER DIVIDENDS.

Following is a list of the dividends announced on the last day of September, as corrected in yesterday's Exchange sheet: C. Brewer & Co., 2 per cent; Ewa Plantation, ½ per cent; Waimanalo, 1 per cent; Haiku, 1 per cent; Paia, 1 per cent; Hawaiian Electric Co., 1 per cent; Inter-Island S. N. Co., 1 per cent; Honomu, 1 per cent; Wailuku, 1½ per cent; Onomea (S. F. Oct. 5), 1 per cent; Honokaa, ½ per cent; Pepeekeo, 1½ per cent on Oct. 15; Wilder's S. S. Co. (quarterly), 2 per cent; Hon. R. T. & L. Co. (semi-annual), 3 per cent on Dec. 31; Hon. R. T. & L. Co. (quarterly), 1 per cent.

## REAL ESTATE, ETC.

A sale at auction of four elegant lots on Pacific Heights will be held by W. E. Fisher on Saturday next, under instruction of C. W. Booth. They are 100x200 feet in size. Electric light and telephone facilities are available. Water privileges are assured, together with a perfect title—Dr. J. Wight bought at auction at Morgan's salesrooms the lease of Kawaihae and, Hawaii, 10,500 acres of good grazing land, at \$2550 a year for ten years. The sale was by order of the Queen's Hospital Trustees.—Real estate transactions published during the week are none of them large. There seems to be little or nothing doing in city properties.

Jas. F. Morgan will sell at auction next Saturday 46 \$1000 first mortgage gold bonds of Olaa Sugar Co.—An event of the week is the announcement that J. Hopp & Co., furniture, will shortly remove from King and Bethel streets, a stand they have occupied for 25 years, to spacious quarters comprising two stores, with basements and warehouse room added, in the Alexander Young building.—Beginning with the first of October, the Mutual Telephone Co. changes from quarterly to monthly collections.—The cattlemen in the Third Judicial Circuit, part of the Island of Hawaii, have won their appeals on the rate per head assessed on cattle. A surplus of beef is alleged as the cause for lower prices, and the question will be a leading one at the annual meeting of the Live Stock Association on Nov. 14. No decision has yet been filed on the cattle assessment appeals in the First Judicial Circuit, Island of Oahu.—Nine other tax appeals have been decided by the Oahu board, most of them sustaining the assessor. One notable decision is against the assessor, being that of the Commercial Pacific Cable Co. The board throws out entirely the assessment of \$42,800 on the cable for three miles out to sea, on the ground that the statutes give no specific authority for taxing the cable. There is something that strikes one almost comically in any attempt to tax the Pacific cable for the benefit of the Hawaiian treasury, when it is remembered that for many years Hawaii had \$20,000 subsidy a year net for fifty years hung up for anybody who would bring a cable along.—A gratifying sign of the times is the getting into active operation of an Improvement Club for the different new residence tracts out the Waialae road. It is to be hoped that, at least after the election turmoil has passed, similar clubs will be formed in all city and suburban districts.—The Government is enforcing the land laws, with a view to insuring that homestead lands shall not be grabbed by people who are not genuine settlers. From a real homesteader on the Island of Hawaii the writer has heard a plausible reason for either not literally construing the residence condition in certain cases or, if that be impossible, having some amendment to the law to meet such cases. Reference is to men in public or private employment in town—Honolulu, Hilo or Wailuku for instance—who have a bent for agriculture or horticulture and, apply for homestead lands under some of the forms of holding presented in the law. When they get the land they lose no time in improving it by labor paid out of their savings. Their intention is ultimately to live on the land, but they cannot do so until it is made productive enough to afford them a living. The argument in behalf of this class of men is that they ought to be given the opportunity of making the homesteads in every way suitable for homes before being compelled actually to live on the premises. No opinion is here offered on this plea for modification of the law or of its execution. Suffice it to say that the position taken by The Advertiser against allowing homestead lands to become, either directly or indirectly, the spoil of mere land-grabbers and speculators will surely be approved by all who have a single eye to the true development of the Territory along American lines.

Sun Lock Co by High Sheriff to Allen & Robinson, Ltd; easterly por lot A3 of Patent 8150, Kul 153, Iwilei Road, Honolulu, Oahu; \$12,000. B 264, p 117. Dated Sept. 22, 1904.

Mele Malkai to Wilhelmine Strauch by Tr; D; int in por R P 2885, Kul 1739, bldgs, etc. Vineyard St, Honolulu, Oahu; \$100. B 264, p 119. Dated Sept. 9, 1904.

Marion D. Erdman and hsb to Walter F. Dillingham; PA; general powers. B 265, p 196. Dated Sept. 14, 1904.

Recorded Sept. 24, 1904.

Trs of Kaumakapili Church to Jessie K. Saffery and hsb et al, Rel; por R P 1731, Kul 6549, Ap 3, and 2 bldgs, etc. Panaewa, etc. Lahaina Maui; R P 2433, bldgs, etc. Nuuanu, Honolulu, Oahu; \$1000. B 258, p 10. Dated Sept. 14, 1904.

Sun Lock Co by High Sheriff to Allen & Robinson, Ltd; Sher; leasehold and R W Kekaulike St, Extn, Honolulu, Oahu; leasehold, Klikih, Honolulu, Oahu; \$100. B 265, p 188. Dated Aug. 19, 1904.

Calvin E. Camp and wf to Charles W. Booth; M; int in por Ap 1, R P 2672 and Gr 524, Pacific Heights Tract, Honolulu, Oahu; \$750. B 260, p 154. Dated Aug. 18, 1904.

THE JEWISH POPULATION.

The statistics gathered for the "American Jewish Year Book," covering the year from September 22, 1903, to September 9, 1904, place the Jewish population of this country at 1,127,268, and with this population the United States ranks third among the nations of the world in respect to the number of Jews within its borders. Russia is credited with a population of 5,071,254, Germany with 586,948, Turkey with 350,000, the British empire with 276,614, Abyssinia with 120,000, and France with 80,000 on the continent and 102,132 in Algeria and Tunis. The number of Jews in the world is put at 10,671,832, or 1,000,000 more than was the total number of persons in the United States according to the census of 1820. Canada and British Columbia have attracted but a small Jewish immigration there being but 25,000 Jews in them now. The Jew is not an agriculturist, and he does not seek independence on the farm.

Hair 55 Inches Long  
Grown by Cuticura.

MISS B., of L., sends us through our British Agents, Messrs. E. Newkirk & Sons, 27 and 28, Charterhouse Square, London, E. C., a strand of soft, glossy hair cut from her own head and measuring fifty-five inches in length, of which the annexed drawing is a photographic fac-simile. She attributes her magnificence of hair to frequent shampoos with CUTICURA SOAP, followed by light dressings of CUTICURA GEL, gently rubbed into the scalp. Previous to the use of CUTICURA, her hair was dry, thin, and lifeless, and came out in handfuls torn at the extent that she feared she would lose soon it.

This is but one of many remarkable cases of the preservation and restoration of the hair in seemingly hopeless cases by warm shampoos with CUTICURA, purest of emollient skin cures. This treatment at once stops falling hair, clears the scalp of crusts, scales, and dandruff, soothes irritated, itching surfaces, stimulates the hair follicles, supplies the roots with energy and nourishment, and makes the hair grow on a clean, sweet, wholesome, healthy scalp, when all else fails.

**MILLIONS OF WOMEN** use CUTICURA SOAP exclusively for preserving, purifying, and beautifying the skin, for cleansing the scalp of crusts, scales, and dandruff, and the stopping of falling hair, for softening, whitening, and soothing red, rough, and sore hands, and for all the purposes of the toilet, bath, and nursery.

**Complete External and Internal Treatment for Every Humour,** Consisting of CUTICURA SOAP, to cleanse the skin of crusts and scales and soften the thickened cuticle, CUTICURA Ointment, to instantly allay itching, inflammation, and irritation, and soothe and heal, and CUTICURA RESOLVENT, to cool and cleanse the blood. A SINGLE SIR is often sufficient to cure the most torturing, disfiguring, and humiliating skin, scalp, and blood humours, with loss of hair, when all else fails. Sold throughout the world. Aust. Depot: R. Towns & Co., Sydney, N. S. W. So. African Depot: LENNON LTD., Cape Town. "All about the Skin, Scalp, and Hair" free. POTTER DRUG AND CHEM. CO., Sole Proprs., CUTICURA FOUNDRY, Boston, U. S. A.

## DR. J. COLLIS BROWNE'S CHLORODYNE.

ORIGINAL AND ONLY GENUINE.

Each Bottle of this well-known Remedy for Coughs, Colds, Asthma, Bronchitis, Neuralgia, Toothache, Diarrhoea, Spasms, etc., bears on the Government Stamp the name of the Inventor.

**DR. J. COLLIS BROWNE.** Numerous Testimonials from Eminent Physicians accompany each bottle. Sold in Bottles: 1/16, 2/9, 4/6, by all Chemists. Sole Manufacturers, J. T. Davenport Limited, London.

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# SISAL FROM KULA, MAUI CARPENTER REINSTATED

## Hand Cleaned Samples Are of High Quality.

## The Governor Does Not Permit a Political Dismissal.

There is no explanation needed for the following letter dictated by Governor Carter yesterday, though after it was sent the Governor emphatically repeated its tenor to an Advertiser reporter. "Efficiency is the only test with me for any man in the employ of the Government," Governor Carter said. The letter follows:

"Oct. 3, 1904.  
C. S. Holloway, Esq., Superintendent of Public Works, Territory of Hawaii.

"Dear Sir: I have just been informed that a carpenter named James Lingman, under Mr. Howland, has been removed from office because he is a Democrat, and this was presumed to be done under orders emanating from me.

"Not only have I never given such an order as that during my administration, but I will not tolerate such an action, and, if such an order has been given, I will ask you to command the same and reinstate Mr. Lingman.

"Very sincerely yours,  
(Sgd.) "G. R. CARTER,  
"Governor."

## WHEN THE ALAMEDA DROPS HER PILOT

The Alameda is pushing her nose through the chilly "Frisco fog headed for the open sea. Now and then when the damp curtain lifts one may catch a glimpse of the forbidding bluffs that sentinel the Golden Gate. From somewhere out in the mist comes the moaning of a whistling buoy mingled with the tinkling of a bell buoy. On the bridge stands Captain Dowdell and beside him muffled in a heavy overcoat stands the Autocrat of the Gate—the pilot. The passengers are scattered about the deck some straining their eyes to get a last glimpse of the shore and others chatting in the lee of the deck house.

Suddenly Purser Smith appears at his office door and remarks, "If any of you people want to send letters ashore with the pilot you had better get them ready." This comes as a surprise to the novices aboard and when they rush below to the saloon they find all the pens and ink wells in the hands of those who have travelled this way before. It is not long before every available place around the writing table is taken. Here is an unromantic looking business man dashing a few lines to a clerk with the air of a millionaire ordering his broker to sell fifty thousand shares of Steel at a handsome profit. There is a party of globe trotters finishing the work of directing a stack of souvenir post cards that proved too much for them on land. At one end of the table is a homesick school teacher who is writing to the home folks and down in the further corner is a youth who is writing a letter to his newly acquired fiancee. You know that because he keeps his blotter over the top part of the first page.

Then the purser's warning voice causes a wild grabbing for envelopes while the lovelorn youth thinks up an appropriate ending for his epistle and inscribes it at the foot of the last page carefully glancing around to see whether anyone is looking. Then the letters are all given to the purser and the passengers gather at the side to see the pilot go. As he shakes hands with the captain and bids the officers good-bye you see the corner of your particular envelope sticking out of his overcoat pocket for a moment. Then he swings over the side and down the rope ladder to the tiny boat that leaps up and down at the big steamer's side. A moment later he is in the stern sheets and two husky sailors are pulling the whaleboat over the tossing swells toward the pilot boat a few hundred yards away. The black smoke pours out of the steamer's funnel, the screw begins to churn the water at her stern. You look back. There is the pilot climbing into the big schooner. A few minutes later you can just make her out in the haze with the big "11" on her masts faint in the distance. You look again and she is gone. The last tie to home has been cut.

### A-H. Schedule.

The new schedule of the American-Hawaiian line has just been published. The S. S. Nebraskan is scheduled to sail from New York for this port via the Pacific Coast on the eighth of the month. The Nevada sails from Seattle on the fourth and from Tacoma on the sixth of this month. On her return trip she will leave this port October 17th and again sail from San Francisco on the second of November.

### Shipping Notes.

The Mani got away last night for Hawaii ports. The steamer Likehike and Naua sailed yesterday. The Kinau will call for Hilo and way ports at noon today. Services were held on both the Buffalo and the Paul Leirberg Sunday. The next "hull" at foot of Fort street is rapidly approaching completion.

The Mauna Loa came off the ways yesterday and will sail on her regular run today.

The Mauna Loa came off the ways yesterday and will sail on her regular run today.

# OCCUPY NEW BUILDING

## The Experiment Station Offices—Pears Shipped.

The officers and employees of the United States Experiment Station are moving into their new office building at the head of Pensacola street. The new structure is a commodious affair in which will be housed Jared Smith, the director of the station; Prof. Shorey and Prof. Higgins.

Prof. Higgins sent a large shipment of alligator pears from the Mongolia to a member of the United States Agriculture Department in New York. This is in the nature of an experiment, and if successful, will open up a new field for the distribution of Hawaii's tree delicacy.

Cacao trees planted on a large tract of land near Hilo are thriving under the care of the experiment station officers. The development of cacao trees, if carried on successfully, will add another industry to small farming projects in the islands.

U. S. DEPARTMENT OF AGRICULTURE, WEATHER BUREAU.  
MONTHLY METEOROLOGICAL SUMMARY.

Station, Honolulu, T. H., Month, September, 1904.

Date	Max.	Min.	Mean	Precep-	Ch'rct'r
Deg. Fahr'heit	72	78	75	tation	of day
1....85	72	78	75	....	Clear
2....84	72	78	75	....	Clear
3....84	76	80	78	T	Clear
4....85	75	80	78	T	Pt. Cly.
5....81	74	78	76	.44	Cloudy
6....84	72	78	75	T	Clear
7....82	73	78	75	....	Clear
8....85	75	80	78	T	Clear
9....84	75	80	78	T	Pt. Cly.
10....84	76	80	78	.01	Clear
11....84	74	79	76	....	Clear
12....84	75	80	78	....	Cloudy
13....82	75	78	76	T	Cloudy
14....84	72	78	75	.15	Pt. Cly.
15....82	70	76	73	....	Pt. Cly.
16....82	71	76	73	.86	Pt. Cly.
17....84	74	79	77	....	Clear
18....84	74	79	77	....	Pt. Cly.
19....85	74	79	77	T	Pt. Cly.
20....85	73	79	76	....	Clear
21....83	74	78	76	.05	Pt. Cly.
22....85	73	79	76	T	Pt. Cly.
23....85	74	80	78	T	Clear
24....84	70	77	74	.08	Clear
25....83	72	78	75	T	Clear
26....84	72	78	75	....	Pt. Cly.
27....84	72	78	75	T	Pt. Cly.
28....83	73	78	76	.01	Pt. Cly.
29....83	73	78	76	T	Cloudy
30....83	73	78	76	....	Pt. Cly.

Mean....83.7 78.2 78.5

Note—"T" indicates trace of precipitation.

\* In inches and hundredths.

### ATMOSPHERIC PRESSURE.

(Reduced to sea level; inches and hundredths.)

Mean, 29.94; highest, 30.02; date, 17; lowest, 29.84; date, 25th.

### TEMPERATURE.

Highest, 85 deg.; date, 23rd; lowest, 70 deg.; date, 24th.

Greatest daily range, 14; date, 24th.

Least daily range, 7; date, 13th.

Mean for this month in 1890, 78 deg.:

1891, 80 deg.; 1892, 78 deg.; 1893, 77 deg.;

1894, 77 deg.; 1895, 77 deg.; 1896, 79 deg.;

1897, 78 deg.; 1898, 77 deg.; 1899, 78 deg.;

1900, 79 deg.; 1901, 78 deg.; 1902, 78 deg.;

1903, 78 deg.; 1904, 78 deg.

Mean of this month for 15 years, 78 deg.

Average daily excess this month as compared with mean of 15 years, 0.3.

### WIND.

Prevailing direction, N.E.; total movement, 4,702 miles; maximum velocity (for five minutes), 20 miles per hour, from northeast on 2nd.

### PRECIPITATION.

Total this month in 1877, 1.12; 1878, 0.62; 1879, 0.65; 1880, 1.22; 1881, 1.56; 1882, 1.04; 1883, 0.36; 1884, 1.03; 1885, 2.25; 1886, 0.09; 1887, 1.42; 1888, 2.95; 1889, 1.52; 1890, 1.20; 1891, 1.25; 1892, 1.31; 1893, 1.73; 1894, 1.47; 1895, 4.34; 1896, 0.64; 1897, 3.41; 1898, 1.28; 1899, 0.80; 1900, 1.55; 1901, 0.85; 1902, 2.27; 1903, 5.74; 1904, 1.40.

Average of this month for 28 years, 1.78.

Deficiency of this month as compared with average of 28 years, 0.38.

### SUNSHINE AND CLOUDINESS.

No. of clear days, 13; partly cloudy, 13; cloudy, 4; on which .01 inch, or more, of rain fell, 7.

Mean dew point, 67 deg.

Mean relative humidity, 70 per cent.

Greatest amount of rainfall in 24 hours, 0.66 on 15th.

ALEX. McC. ASHLEY,

Section Director, Weather Bureau.

## MORTUARY REPORT FOR SEPTEMBER

Deaths in Honolulu for September numbered 12, divided by ages as follows:

Under one, 2; one to five, 5; five to ten, 6; ten to twenty, 8; twenty to thirty, 12; thirty to forty, 9; forty to fifty, 11; fifty to sixty, 2; sixty to seventy, 3; over seventy, 7.

By nationalities the numbers were:

Hawaiian, 57; Chinese, 5; Portuguese,

Japanese, 17; U. S. A., 10; other nationalities, 2.

Causes of death are thus summarized:

Febrile, 6; diarrheal, 4; septic, 1; con-

stitutional, 1; developmental, 5; ner-

vous, 1; circulatory, 4; respiratory, 18;

digestive, 11; urinary, 2; reproductive, 1;

accident and violence, 5; homicide, 1;

counts and Discharge in this Estate.

On reading and filing the petition and accounts of John T. Una, Administrator with the Will Annexed of the Estate of Kilikina Una, late of Kalauapapa, Molokai, deceased, wherein he asks to be allowed \$269.05 and he charges himself with \$187.35, and asks that the same may be examined and approved, and that a final order may be made of Distribution of the property remaining in his hands to the persons thereto entitled, and discharging him and his sureties from all further responsibility as such Administrator with the Will Annexed.

It is ordered, that Thursday, the 17th day of November, A. D. 1904, at 10 o'clock a. m., before the Judge of said Court at the Court Room of the said Court at Wailuku, Island of Maui, be and the same hereby is appointed as the time and place for hearing said Petition and Accounts and that all persons interested may then and there appear and show cause, if any they have, why the same should not be granted, and may present evidence as to who are entitled to the said property.

And that notice of this Order, in the English language, be published in the Hawaiian Gazette, a semi-weekly newspaper printed and published in Honolulu, for three successive weeks, the last publication to be not less than two weeks previous to the time therein appointed for said hearing.

Dated at Wailuku, Maui, this 28th day of September, 1904.

EDMUND H. HART,

Clerk of the Circuit Court of the Second Circuit.

2630—Oct. 4, 11, 18, 25.

## IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, TERRITORY OF HAWAII—OCTOBER TERM.

H. Hackfeld & Company, Ltd., a Corporation, Plaintiff vs. P. E. Lamar, Defendant, The Pioneer Mill Co., Ltd., a Corporation, Garnishee.

## ORDER OF COURT FOR PUBLICATION OF SUMMONS.

Upon reading and filing the affidavits of L. N. Baldwin, and D. H. Case, and it appearing to me therefrom that defendant P. E. Lamar, has removed from, and is now a non-resident of the Territory of Hawaii, and that he is now living in the city of San Francisco, State of California; and it also appearing from said affidavits that a cause of action in sumsum exists between said H. Hackfeld & Company, Ltd., as plaintiff, and said P. E. Lamar, as defendant, and that said P. E. Lamar is a necessary party thereto; and, it further appearing that a summons has been duly issued in the above entitled case, and due and diligent inquiry and search made for said P. E. Lamar for the purpose of making personal service thereof upon him as defendant, but that same was not and could not be had for the reasons hereinabove stated, and by said affidavits made to appear:

Now, therefore, it is ordered that service of summons in this action be made upon the defendant, P. E. Lamar, by publication thereof in the Hawaiian Gazette, a semi-weekly newspaper, published in the English language in Honolulu, Oahu, Territory of Hawaii, and hereby designated as a newspaper suitable for the advertisement of notice of judicial proceedings; that such publication be had and made at least once a week for four consecutive months; and

It further appearing from a reading of said affidavits, that said defendant, P. E. Lamar, is located in and about the city of San Francisco, State of California;

It is further ordered and directed that a copy of the summons and complaint in the above entitled case be forwarded forthwith by being deposited in the United States Postoffice at Wailuku, Maui, postpaid, directed to said P. E. Lamar, at San Francisco, State of California.

Service herein shall be deemed completed at the expiration of time prescribed by the order of this court, this cause to stand continued, to be tried at the regular March term 1905 of this court.

(Sgd.) A. N. KEPOKAI,